

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Jobst Krauskopf et al.

**Examiner:** Ruth A. Davis

**Serial No:** 10/564,075

**Art Unit:** 1651

**Filed:** February 20, 2007

**Docket:** 19491

**For:** USE OF WHEY PERMEATE FOR  
THE TREATMENT OF METABOLIC  
SYNDROME

**Dated:** January 24, 2011

**Confirmation No.:** 5999

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached form PTO-1449, be made of record in the above-identified case.

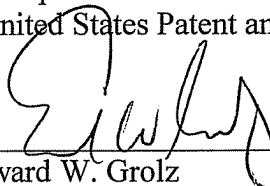
1. International Publication No. WO 2005/004990 A1 dated January 20, 2005, together with English-language abstract;
2. German Publication No. DE 198 54 749 A1 dated May 31, 2000, together with English-language abstract;

---

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website on the date set forth below.

Dated: January 24, 2011

  
Edward W. Grolz

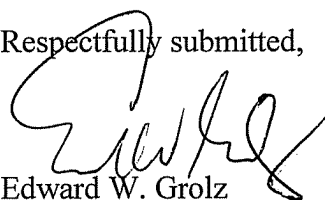
3. German Publication No. DE 100 08 880 A1 dated August 24, 2000, together with English-language abstract;
4. German Publication No. DE 296 23 285 U1 dated January 22, 1998, together with English-language abstract;
5. REAVEN, G.M., "Do High Carbohydrate Diets Prevent the Development or Attenuate the Manifestations (or both) of Syndrome X? A Viewpoint Strongly Against" *Current Opinion in Lipidology* (1997) pp. 23-27, Vol. 8(1);
6. Pschyrembel, *Klinisches Wörterbuch* (1994) 257 Edition, pp. 321;
7. Roche Lexikon Medizin, 4<sup>th</sup> Edition, published by Urban & Fischer Verlag (1999);
8. VEGA, G.L. et al., "Pathogenesis of Hypertriglyceridemia: Implications for Coronary Heart Disease and Therapy" *Advanced Experimental Medicine* (1989) pp. 311-326, Vol. 243;
9. SOERGEL, K., "Acute Pancreatitis in Gastrointestinal Disease" Chapter 91, 3<sup>rd</sup> Edition, (Sleisenger, M.H. and Fordtran, J.S. eds) W.B. Saunders Company, Philadelphia, PA (1983) pp. 1462-1485;
10. BROWN, M.S. et al., "Drugs Used in the Treatment of Hyperlipoproteinemias" *Goodman and Gillman's The Pharmacological Basis of Therapeutics* Chapter 34, 7<sup>th</sup> Edition, MacMillan Publishing Co., New York (1985) pp. 827-845;
11. JÄNNER, "Report of the Expert Panel on Detection, Evaluation and Treatment of High Blood Cholesterol in Adults" *U.S. Department of Health and Human Services*, NIH Publication No. 89-2925 (1989) pp. 74-77;
12. TANNE, D. et al., "Blood Lipids and First-Ever Ischemic Stroke/Transient Ischemic Attack in the Bezafibrate Infarction Prevention (BIP) Registry" *Circulation* (2001) pp. 2892-2897, Vol. 104;
13. THE DIABETES ATORVASTATIN LIPID INTERVENTION (DALI) STUDY GROUP, "The Effect of Aggressive Versus Standard Lipid Lowering by Atorvastatin on Diabetic Dyslipidemia" *Diabetes Care* (2001) pp. 1335-1341, Vol. 24;
14. DELANEY, C.A. et al., "Sensitivity of Human Pancreatic Islets to Peroxynitrite-Induced Cell Dysfunction and Death" *FEBS Letters* (1996) pp. 300-306, Vol. 394;
15. PCT International Publication No. WO 2004/056207 A1 published July 8, 2004;
16. U.S. Patent No. 5,639,501 issued June 17, 1997 to Vembu et al.; and
17. DAALI, Y. et al., "Capillary Electrophoresis and High-Performance Anion Exchange

Chromatography for Monitoring Caseinoglycomacropeptide Sialylation" *Journal of Pharmaceutical and Biomedical Analysis* (2001) pp. 849-856, Vol. 24.

Reference Nos. 1-14 were cited in related U.S. Patent Application Serial No. 12/376,146. Reference Nos. 15-16 were cited in an Opposition against a corresponding EP case and Reference No. 16 was cited in a corresponding German case. Applicants are submitting copies of the above-cited references required by 37 C.F.R. § 1.98(a)(2)(i) and (ii).

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.17 (p), the requisite \$180.00 official fee pursuant to § 1.17(p) has been charged to Deposit Account 191013.

Respectfully submitted,



Edward W. Grolz  
Registration No.: 33,705

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
(516) 742-4343  
EWG:eb